



**REQUEST FOR EXEMPTION FOR COAL
EXTRACTION INCIDENTAL TO THE
EXTRACTION OF OTHER MINERALS**

State Form 50614 (R/11-04)

INDIANA DEPARTMENT OF NATURAL RESOURCES
Division of Reclamation
RR 2 BOX 129
Jasonville, IN 47438-9517

Part I. Administrative Information

A. Business Information

(1) Applicant's Name _____

(2) Permanent Address

(3) Mine Address

Tel () - _____

Tel () - _____

(4) If correspondence regarding this application is to be sent to an address other than those listed above, provide name, title and address of the individual to receive correspondence:

Name _____ Title _____

Address _____

(5) Name, address and telephone number of the resident agent of the applicant who is authorized to accept service of process:

Name _____ Title _____

Address _____

(6) If the operator is not the entity identified in (1), provide the name, address and telephone number of the operator:

Name _____ Title _____

Address _____

(7) Is the applicant the owner of both the surface and mineral rights?

☐ Yes ☐ No

If not, list the names and address of all legal or equitable owners of surface and mineral rights within the area to be affected and list the documents upon which the applicant bases its right to enter and conduct operations.

B. Mining Area Information

(1) Mine (pit) name _____ (2) County _____

(3) U.S.G.S. Quadrangle _____ (4) Acres Exempted _____

(5a) Legal description by 1/4 section(s), township(s) and range(s)

(5b) Map with area delineated: Map # _____

(6a) Does the applicant have pending or approved permits or exemptions for any land contiguous to this proposed exemption area?

☐ Yes ☐ No

If yes, provide the following information:

Exemption/ Permit Application No.	Applicant/ Permittee	Acreage
_____	_____	_____
_____	_____	_____
_____	_____	_____

(6b) Has the proposed exemption area, or portions of the proposed exemption area been previously permitted or exempted?

☐ Yes ☐ No

If yes, provide the following information:

Exemption/ Permit Application No.	Applicant/ Permittee	Acreage
_____	_____	_____
_____	_____	_____
_____	_____	_____

(7) All operators who have extracted coal or other minerals prior to filing an application for exemption must also submit as attachments:

- (a) Any relevant information the operator has from the IDNR documenting its exemption from the Act;
- (b) The cumulative production of both the coal and the other minerals from the mining area;
- (c) Estimated tonnage of any stockpiled coal and other minerals; and
- (d) Attach any other information pertinent to the qualification of the operation as exempt.

Attachments # _____

(8a) List the newspaper of greatest general circulation in the vicinity of the proposed exemption area in which the public notice will be published.

(8b) Submit a copy of the Public Notice. (This notice is not to be published until authorization is granted by the Division of Reclamation.) This notice must identify the persons claiming the exemption and must contain a description of the proposed operation and its locality that is sufficient for interested persons to identify the exemption area and lodge concerns with the Department.

Attachment # _____

(8c) Submit Proof of Publication of the Public Notice, under separate cover, to the Division of Reclamation with a copy of the notice no later than thirty (30) days following the date of publication.

(9) Describe the method of mining and mineral processing activities including the method of extraction; handling and stockpiling; detailing the type of equipment used and the timing and sequence of all aspects of the proposed operation.

Attachment # _____

(10) Provide the location at which all information necessary to verify the exemption (including but not limited to commercial use and sales, extraction tonnages, and a copy of the exemption application and its approval) will be maintained and made available for inspection by the Director or his authorized representative.

Part II. **Exemption Basis**

- (A) **Geologic information** - The logs, cross-sections, and maps must be based on the geology of the proposed exempted area. If requested in writing, the Director may waive the requirements of this section pertaining to logs of drill holes, thickness and chemical properties of the coal, potentially acid or toxic-forming strata, and chemical analyses of stratum immediately below the coal or lowest other mineral if this information is available from other reliable sources. This request must be submitted with the application for a permit and must demonstrate that the same or similar information for the geology descriptions within the proposed permit area already exists with the Division of Reclamation. The request must identify the information sources.

Upon the written request of the applicant, information submitted pertaining to the physical and chemical properties of the coal seam(s) and other minerals to be mined will be maintained as confidential and not subject to public inspection except that information concerning a mineral or elemental content which is potentially toxic in the environment. In order to assure confidentiality, this information must be submitted separate from other information required in this application. The confidential information may be disclosed to interested parties if the Director, after reviewing any information pertinent to the disclosure from those seeking access to that information and those seeking to retain confidentiality, finds that disclosure is necessary to be responsive to the concerns of the parties seeking disclosure.

- (1) Based upon the result of test borings or core samplings, describe the relative position, thickness, density and lithologic characteristics of the strata down to and including the stratum immediately beneath the lowest coal seam or other mineral to be mined. Identify all water bearing units, each mineral resource to be extracted for commercial use or sale, and each stratum not extracted for commercial use or sale (spoil) that will be affected by the mining activities.

- (2) Submit cross-sections showing each stratum described above.

Attachment # _____

- (3) Submit copies of test boring logs and other information pertinent to the cross-sections and geologic characterization of the exemption area.

Attachment # _____

- (4) Submit as attachments, the results of chemical analyses of the following:

- (a) each geologic stratum above the lowest coal seam or other mineral to be mined,
- (b) the stratum immediately beneath the lowest coal seam or other mineral to be mined.

Attachment # _____

- (5) Show on a map the following geologic information:

- (a) location of each test boring or core sampling used to compile the above data,
- (b) all coal croplines and the strike and dip of the coal to be mined within the permit area,
- (c) location of each cross-section included in (1) (b) above.

Map # _____

- (6) List the minerals sought to be extracted other than coal and the geologic stratum or strata indicated on submitted cross-sections from which they will be mined.

_____	_____
_____	_____
_____	_____

B. Marketing/Use Information

- (1) Estimate the annual production (tonnage) of coal and other minerals over the anticipated life of the mining operation. If additional space is required, list on separate sheet.

_____	_____
_____	_____
_____	_____

- (2) Estimate the annual revenues to be derived from bona fide sales of coal and other minerals within the mining area. If additional space is required, list on a separate sheet.

_____	_____
_____	_____

- (3) If coal and/or the other minerals are to be used rather than sold, estimate the annual fair market value at the time of projected use of the coal and other minerals to be extracted from the mining area. If additional space is required, list on a separate sheet.

_____	_____
_____	_____
_____	_____

- (4) Attach the basis for all annual production, revenue, and fair market value estimates. Include all calculations and figures necessary to support your estimates.

Attachment # _____

- (5) Attach a summary of sales commitments and agreements for future delivery, if any, which the applicant has received for other minerals to be extracted from the mining area, or a description of potential markets for such minerals.

Attachment # _____

- (6) If the other minerals are to be commercially used by the applicant, provide a description specifying each use.

Attachment # _____

Part III. Verification

I, _____ (typed or printed name of responsible official or applicant's legal representative), hereby affirm that all statements and representations made in this application and attachments thereto are true and correct to the best of my information and belief and that I am duly authorized to sign this application on behalf of

(Name of permittee)

Further, the Director or his authorized representatives, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay, is authorized to enter upon and through this operation. The director, or his authorized representatives, may also be accompanied by private persons for the purpose of conducting an inspection when the inspection is in response to an alleged violation reported to the Director by the private person.

Signed: _____

Title: _____

(Attach a copy of power of attorney or resolution of Board of Directors who grants signature authority.)

Subscribed and sworn to before me this _____ day of _____, 20__

My commission expires _____

Notary Public Signature _____

Name typed or printed _____

Residence: _____

State: _____